

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

BLUE HILLS OFFICE PARK LLC,

Plaintiff, Defendant-in-Counterclaim,

v.

Civil Action No. 05-CV-10506 (WGY)

J.P. MORGAN CHASE BANK, as Trustee for the Registered Holders of Credit Suisse First Boston Mortgage Securities Corp., Commercial Mortgage Pass-Through Certificates, Series 1999-C1, and, CSFB 1999-C1 ROYALL STREET, LLC,

Defendants, Plaintiffs-in-Counterclaim,

v.

WILLIAM LANGELIER and GERALD FINEBERG,

Defendants-in-Counterclaim.

AFFIDAVIT OF STEPHEN GOERTZEN IN SUPPORT OF DEFENDANTS' AND COUNTERCLAIMANTS' MOTIONS FOR SUMMARY JUDGMENT

I, Stephen Goertzen, depose and say as follows:

1. I am employed by Wells Fargo Bank, N.A. ("Wells Fargo") as an Applications Systems Engineer in the technology services area.
2. In that capacity, I executed a search of Wells Fargo's computer records for certain outgoing telephone calls covering the time period May 2001 through February 2006 (See #3 and #4 below). For each outgoing call, the computer records include the type of information shown on Exhibits A & B to this affidavit.

3. I executed two searches of Wells Fargo's computer records. The first search was for all calls to any number with the area code "781" and the prefix "239" (i.e., telephone numbers 781-239-xxxx). Exhibit A contains the results of that search that reflect calls to the following numbers:

781-239-1191	781-239-1484	781-239-1489
781-239-1480	781-239-1485	781-239-1491
781-239-1481	781-239-1486	781-239-1492
781-239-1482	781-239-1487	781-239-1493
781-239-1483	781-239-1488	

I understand from DLA Piper Rudnick Gray Cary LLP ("Counsel") that opposing counsel in this matter provided a list of telephone numbers and that the above list contains the numbers from the opposing counsel's list that match the format 781-239-xxxxx.

4. Exhibit B contains the results of a second search, which was for calls to the following numbers:

781-237-1683	781-431-1108	781-431-1620
781-431-0406	781-431-1242	781-431-1825
781-431-0422	781-431-1350	781-431-1907

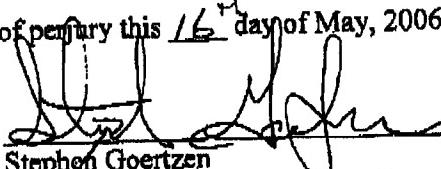
I understand from Counsel that this second list contains the remainder of the numbers provided to him by opposing counsel.

5. Each search included a search of all outgoing calls from any extension that is part of the Commercial Mortgage Servicing Group, including but not limited to Asset Administration, the Operations Group (including the Tax Department) and Asset Management.

6. The Call Date listed on Exhibits A & B is the date the call was placed. The Call Time listed on Exhibits A & B is presented in hour-minute (hhmm), twenty-four hour (i.e., "military") format in Pacific time. The Call Date listed on Exhibit B is presented in year-month-

day (yymmdd) format. For example, the fifth call on Exhibit B was placed at 2:26 p.m. Pacific time on September 4, 2002.

Signed under the pains and penalties of perjury this 16th day of May, 2006.


Stephen Goertzen
Applications Systems Engineer for
Wells Fargo Bank, N.A.

**GOERTZEN
AFFIDAVIT
EXHIBIT A**

Wells Fargo Telephone Record Search Results
(For Borrower numbers 781-239-xxxx)

Run Date	From Phone	To Phone	Call Date	Call Time	Duration (seconds)	Location	Src
7/20/2001	9256778209	7812391480	6/4/2001	1027	60	WELLESLEY MA	PS
7/20/2001	9256778209	7812391480	6/12/2001	1458	90	WELLESLEY MA	PS
8/21/2001	9256778209	7812391480	6/27/2001	1123	84	WELLESLEY MA	PS
9/20/2001	9256778209	7812391480	7/24/2001	1050	216	WELLESLEY MA	PS
12/20/2001	9256778229	7812391480	10/30/2001	1123	198	WELLESLEY MA	PS
3/20/2002	8126871190	7812391480	1/10/2002	928	138	WELLESLEY MA	EO
8/20/2002	9256778229	7812391480	4/22/2002	1122	72	WELLESLEY MA	PS
6/20/2002	9256778229	7812391480	4/22/2002	1331	198	WELLESLEY MA	PS
6/20/2002	9256778229	7812391480	4/22/2002	1342	114	WELLESLEY MA	PS
6/20/2002	9256778229	7812391480	4/24/2002	945	150	WELLESLEY MA	PS
6/20/2002	9256778229	7812391480	4/24/2002	1315	114	WELLESLEY MA	PS
6/20/2002	4153981049	7812391480	4/25/2002	1338	90	WELLESLEY MA	VN
6/20/2002	9256778210	7812391480	5/10/2002	905	156	WELLESLEY MA	PS
6/20/2002	9256778210	7812391480	5/10/2002	1358	72	WELLESLEY MA	PS
6/20/2002	9256778210	7812391480	5/15/2002	930	54	WELLESLEY MA	PS
7/19/2002	9256778210	7812391480	5/30/2002	1151	54	WELLESLEY MA	PS
3/20/2003	9256778226	7812391480	1/27/2003	1423	108	WELLESLEY MA	PS
3/20/2003	9256778226	7812391480	1/27/2003	1426	300	WELLESLEY MA	PS
3/20/2003	9256778226	7812391480	1/27/2003	1434	24	WELLESLEY MA	PS
3/20/2003	9256778226	7812391480	1/28/2003	618	168	WELLESLEY MA	PS
5/20/2003	9256778226	7812391480	4/11/2003	807	66	WELLESLEY MA	PS
5/20/2003	9256778202	7812391480	4/15/2003	826	90	WELLESLEY MA	PS
6/20/2003	9256778213	7812391480	5/2/2003	1017	120	WELLESLEY MA	PS
6/20/2003	9256778213	7812391480	5/6/2003	751	90	WELLESLEY MA	PS
6/20/2003	9256778213	7812391480	5/6/2003	656	90	WELLESLEY MA	PS
7/21/2003	9256778229	7812391480	6/11/2003	1133	72	WELLESLEY MA	PS
7/21/2003	9256778229	7812391480	6/11/2003	1152	210	WELLESLEY MA	PS
8/20/2003	9256778226	7812391480	6/30/2003	1127	108	WELLESLEY MA	PS
11/19/2003	9256778205	7812391480	10/9/2003	945	30	WELLESLEY MA	PS
11/19/2003	9256778205	7812391480	10/9/2003	1303	66	WELLESLEY MA	PS
3/22/2004	9256778294	7812391480	1/21/2004	1056	90	WELLESLEY MA	PS
3/22/2004	9256778294	7812391480	1/21/2004	1258	48	WELLESLEY MA	PS
3/22/2004	9256778294	7812391480	1/22/2004	1303	216	WELLESLEY MA	PS
6/21/2004	9256778213	7812391480	4/23/2004	1027	126	WELLESLEY MA	PS
6/21/2004	9256778213	7812391480	4/23/2004	1034	78	WELLESLEY MA	PS
6/21/2004	9256778213	7812391480	4/23/2004	1041	36	WELLESLEY MA	PS
6/21/2004	9256778213	7812391480	4/23/2004	1237	30	WELLESLEY MA	PS
6/21/2004	9256778213	7812391480	4/23/2004	1239	158	WELLESLEY MA	PS
6/21/2004	9256778213	7812391480	4/28/2004	934	258	WELLESLEY MA	PS
7/20/2004	41539864038	7812391480	5/11/2004	1328	72	WELLESLEY MA	VN
7/20/2004	41539864038	7812391480	5/11/2004	1328	72	WELLESLEY MA	VN
7/20/2004	41539864038	7812391480	5/11/2004	1327	876	WELLESLEY MA	VN
7/20/2004	41539864038	7812391480	5/11/2004	1327	876	WELLESLEY MA	VN
9/20/2004	N5538276	7812391480	7/15/2004	1348	76	WELLESLEY MA	VN
10/20/2004	41539866999	7812391480	7/15/2004	1349	78	WELLESLEY MA	VN
9/20/2004	N5538361	7812391480	7/15/2004	1351	78	WELLESLEY MA	VN
10/20/2004	41539866999	7812391480	7/15/2004	1351	78	WELLESLEY MA	VN
9/20/2004	9256778294	7812391480	7/29/2004	1148	270	WELLESLEY MA	PS
9/20/2004	9256778295	7812391480	7/29/2004	1249	432	WELLESLEY MA	PS
9/20/2004	9256778255	7812391480	8/11/2004	814	90	WELLESLEY MA	PS
9/20/2004	9256778255	7812391480	8/11/2004	944	196	WELLESLEY MA	PS
10/20/2004	41539866999	7812391480	8/11/2004	1204	78	WELLESLEY MA	VN
10/20/2004	41539866999	7812391480	8/13/2004	919	98	WELLESLEY MA	VN
10/20/2004	41539866999	7812391480	8/13/2004	949	144	WELLESLEY MA	VN
9/20/2004	9256775363	7812391480	8/13/2004	1314	42	WELLESLEY MA	PS
10/20/2004	41539866999	7812391480	8/16/2004	1012	12	WELLESLEY MA	VN
6/20/2003	8009669711	7812391485	4/14/2003	644	84	WELLESLEY MA	MT
6/20/2004	8009669711	7812391485	6/2/2004	643	78	WELLESLEY MA	MT
3/20/2003	8009669711	7812391487	1/28/2003	716	102	WELLESLEY MA	MT
6/20/2003	8009669711	7812391487	4/22/2003	716	84	WELLESLEY MA	MT
7/21/2003	8009669711	7812391487	5/8/2003	709	18	WELLESLEY MA	MT
5/20/2003	8009669711	7812391487	5/29/2003	1205	468	WELLESLEY MA	MT
9/22/2003	8009669711	7812391487	7/25/2003	514	90	WELLESLEY MA	MT
3/22/2004	8009669711	7812391487	1/22/2004	1254	76	WELLESLEY MA	MT
6/21/2004	8009669711	7812391487	4/26/2004	1144	198	WELLESLEY MA	MT
7/20/2004	8009669711	7812391487	5/3/2004	1224	90	WELLESLEY MA	MT
3/20/2003	8009669711	7812391492	1/28/2003	1116	166	WELLESLEY MA	MT
7/21/2003	8009669711	7812391492	5/8/2003	814	336	WELLESLEY MA	MT
7/21/2003	8009669711	7812391492	5/19/2003	1150	1572	WELLESLEY MA	MT
8/20/2003	8009669711	7812391492	6/19/2003	1227	78	WELLESLEY MA	MT
8/20/2003	8009669711	7812391492	6/26/2003	1102	66	WELLESLEY MA	MT
9/22/2003	8009669711	7812391492	7/1/2003	826	78	WELLESLEY MA	MT
9/22/2003	8009669711	7812391492	7/23/2003	1324	90	WELLESLEY MA	MT
3/22/2004	8009669711	7812391492	1/21/2004	1247	90	WELLESLEY MA	MT
6/21/2004	8009669711	7812391492	4/26/2004	400	98	WELLESLEY MA	MT
6/20/2001	9256861259	7812391493	4/6/2001	1046	42	WELLESLEY MA	VN
7/20/2001	9256861259	7812391493	5/22/2001	1048	42	WELLESLEY MA	VN
8/21/2001	9256861259	7812391493	6/4/2001	1440	36	WELLESLEY MA	VN
9/20/2001	92568601713	7812391493	7/19/2001	1013	36	WELLESLEY MA	VN
11/20/2001	92568601713	7812391493	10/19/2001	1028	36	WELLESLEY MA	VN
3/20/2002	6126678282	7812391493	1/10/2002	836	90	WELLESLEY MA	EO
3/20/2002	6126678282	7812391493	1/10/2002	1545	168	WELLESLEY MA	EO
3/20/2002	92568601713	7812391493	1/23/2002	1663	36	WELLESLEY MA	VN
3/20/2002	92568601713	7812391493	1/26/2002	825	66	WELLESLEY MA	VN
4/19/2002	92568601713	7812391493	2/11/2002	1628	66	WELLESLEY MA	VN
5/20/2002	92568601713	7812391493	3/8/2002	905	30	WELLESLEY MA	VN
9/20/2002	92568601713	7812391493	7/15/2002	1203	36	WELLESLEY MA	VN
9/20/2002	92568601713	7812391493	7/22/2002	1358	36	WELLESLEY MA	VN
12/20/2002	92568601713	7812391493	10/17/2002	1322	36	WELLESLEY MA	VN
3/20/2003	92568601713	7812391493	1/17/2003	1253	36	WELLESLEY MA	VN
6/20/2003	92568601713	7812391493	4/11/2003	832	42	WELLESLEY MA	VN
8/20/2003	92568601713	7812391493	6/11/2003	1165	36	WELLESLEY MA	VN
9/22/2003	92568601713	7812391493	7/18/2003	1155	36	WELLESLEY MA	VN
12/19/2003	92568601667	7812391493	10/8/2003	935	42	WELLESLEY MA	VN
3/22/2004	92568601667	7812391493	1/12/2004	1221	36	WELLESLEY MA	VN
3/22/2004	92568601667	7812391493	1/19/2004	1420	42	WELLESLEY MA	VN
3/22/2004	92568611532	7812391493	1/27/2004	1619	42	WELLESLEY MA	VN
6/21/2004	92568601667	7812391493	4/28/2004	933	42	WELLESLEY MA	VN
9/20/2004	92568601667	7812391493	7/18/2004	859	42	WELLESLEY MA	VN
2/17/2006	92568601667	7812391493	12/18/2006	1423	78	WELLESLEY MA	VN

**GOERTZEN
AFFIDAVIT
EXHIBIT B**

Wells Fargo Telephone Record Supplemental Search Results

<u>Run Date</u>	<u>From Phone</u>	<u>AU#</u>	<u>To Phone</u>	<u>Call Date</u>	<u>Call Time</u>	<u>Duration (seconds)</u>	<u>Location</u>	<u>Src</u>
020320	9256775387	02058	7814311108	020124	1228	0000000150	WELLESLEY MA	PS
020419	9256778210	02058	7814311108	020308	0844	0000000090	WELLESLEY MA	PS
020719	9256778210	02058	7814311108	020617	1141	0000000096	WELLESLEY MA	PS
020920	9256778295	02058	7814311108	020725	0945	0000000060	WELLESLEY MA	PS
021021	9256775223	02058	7814311108	020904	1426	0000000162	WELLESLEY MA	PS
030320	9256778226	02058	7814311108	030128	1240	0000000054	WELLESLEY MA	PS
030620	8009869711	02058	7814310406	030411	0816	0000000018	WELLESLEY MA	MT
030620	9256778226	02058	7814311108	030422	0842	0000000078	WELLESLEY MA	PS
030820	9256778226	02058	7814311108	030620	0944	0000000066	WELLESLEY MA	PS
030820	9256778226	02058	7814311108	030626	1435	0000000144	WELLESLEY MA	PS
040720	4153964038	01187	7814311108	040511	1322	0000000192	WELLESLEY MA	VN
040720	4153964038	01187	7814311108	040511	1322	0000000192	WELLESLEY MA	VN
040820	8009869711	02058	7814310422	040608	0725	0000000024	WELLESLEY MA	MT
040820	8009869711	02058	7814311907	040608	1041	0000000084	WELLESLEY MA	MT
040820	8009869711	02058	7814310422	040609	0758	0000000036	WELLESLEY MA	MT
040820	8009869711	02058	7814310422	040609	0829	0000000456	WELLESLEY MA	MT
041020	8009869711	02058	7814310406	040802	1241	0000000066	WELLESLEY MA	MT
041020	8009869711	02058	7814310422	040811	0940	0000000198	WELLESLEY MA	MT